

submit the Notice and the required supplemental information with a written statement of the reason for delay as soon as practicable.

(d) In an emergency situation requiring an immediate wage determination response, the contracting officer shall, in accordance with contracting agency procedures, contact the Wage and Hour Division by telephone for guidance before submitting the Notice.

**22.1009 Place of performance unknown.**

**22.1009-1 General.**

If the place of performance is unknown, the contracting officer may use the procedures in this section. The contracting officer should first attempt to identify the specific places or geographical areas where the services might be performed (see 22.1009-2) and then may follow the procedures either in 22.1009-3 or in 22.1009-4.

**22.1009-2 Attempt to identify possible places of performance.**

The contracting officer should attempt to identify the specific places or geographical areas where the services might be performed. The following may indicate possible places of performance:

- (a) Locations of previous contractors and their competitors.
- (b) The solicitation mailing list.
- (c) Responses to a presolicitation notice (see 5.204).

**22.1009-3 All possible places of performance identified.**

(a) If the contracting officer can identify all the possible places or areas of performance (even though the actual place of performance will not be known until the successful offeror is chosen), the contracting officer, as required in 22.1008, shall submit the Notice to the Wage and Hour Division. If the number of places of performance exceeds the space available on the Notice, the contracting officer shall provide a listing by state-county-city/town in an attachment to the Notice.

(b) The Wage and Hour Division may issue a wage determination for each different geographical area of performance identified by the contracting officer,

or in unusual situations it may issue a wage determination for one or more composite areas of performance. If there is a substantial number of places or areas of performance indicating the need for a wage determination for one or more composite areas of performance, the contracting officer should, before submitting the Notice, contact the Wage and Hour Division concerning the issuance of such a wage determination.

(c) If the contracting officer subsequently learns of any potential offerors in previously unidentified places before the closing date for submission of offers, the contracting officer shall follow one of the following procedures:

- (1) Continue to follow the procedures in this subsection and:
  - (i) Submit Notices for the additional places of performance to the Wage and Hour Division, and
  - (ii) Amend the solicitation to include all wage determinations and, if necessary, extend the time for submission of final offers.
- (2) Follow the procedures in 22.1009-4.

**22.1009-4 All possible places of performance not identified.**

If the contracting officer believes that there may be offerors interested in performing in unidentified places or areas, the contracting officer may use the following procedures:

- (a) If the contracting officer has identified possible places or areas where services might be performed, the contracting officer shall submit the Notice to the Wage and Hour Division (see 22.1009-3 (a) and (b)).
- (b) Include the following information in the Commerce Business Daily Notice (see 5.207(f)(4)):
  - (1) That the place of performance is unknown.
  - (2) The possible places or areas of performance for which the contracting officer has requested wage determinations.
  - (3) That the contracting officer will request wage determinations for additional possible places of performance if asked to do so in writing.
  - (4) The time and date by which requests for wage determinations for additional places must be received by the contracting officer.